

BUSINESS LAW SECTION

Franchise Law Committee

REPORT OF PENDING FRANCHISE LEGISLATION

FRANCHISE LAW COMMITTEE MEETING - JULY 7, 1999

by Rochelle B. Spandorf, Esq.

SB 459

This is our bill to add a fractional franchise exemption. Our bill was amended on 6/23/99 to incorporate DOC revisions, including exemption filing obligation. Bill was referred to the Assembly Committee on Appropriations, and passed by a vote of 12-0 on 6/29/99.

AB 1348

Bill would amend the B&P Code sections dealing with trademark rights to create a cause of action for *knowingly* facilitating, enabling or otherwise assisting a person to manufacture or use a counterfeit or colorable imitation of a registered trademark without the registrant's consent. Moved to inactive file on 6/1/99.

SB 1178

Existing law prohibits a petroleum franchisor from requiring a franchisee to buy tires, batteries and other accessories only from it. This would add motor oil that list. Senate Committee on Judiciary voted to pass as amended, but subsequently decided to further amend and therefore re-referred the bill back to the Committee on Judiciary on 6/29/99. Apparently, the Western States Petroleum Association (a trade association comprised of petroleum refiners, etc.) opposes this bill, but has expressed a desire to continue to work with the author's office in order to come to an agreement.

Franchise Law Committee